

NOVEMBER 18, 2014

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, November 18, 2014.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Karen Bentley, Dumont Clarke, Patricia Cotham,
George Dunlap, Bill James, Vilma Leake, Kim Ratliff
and Matthew Ridenhour
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Clarke and Dunlap were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 14-2153, 14-2161, 14-2165, and 14-2178 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

**(14-2166, 14-2187) CLOSED SESSION – CONSULT WITH ATTORNEY AND TO PREVENT DISCLOSURE OF
INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259 - G.S. 143-318.11(A)
(1)**

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 7-0 with Commissioners Bentley, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purposes: Consult with Attorney and to Prevent Disclosure of Information that is Confidential Pursuant to G.S. 105-259 – G.S. 143-318.11(A)(1).

The Board went into Closed Session at 5:15 p.m. and came back into Open Session at 6:09 p.m.

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Commissioner Dunlap was present when the Board came back into Open Session. He entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner James, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

(14-2184) BOARD OF COMMISSIONERS PLAQUE PRESENTATION

County Manager Diorio presented plaques to members of the Board in recognition of service during their 2012-2014 term of office.

(14-2182) PRESENTATION OF GAVELS TO BOARD CHAIRMEN 2012 - 2014

County Manager Diorio presented a ceremonial gavel to Commissioner Pat Cotham for her service as the 2012-2013 Chairman of the Mecklenburg Board of County Commissioners.

County Manager Diorio presented a ceremonial gavel to Chairman Fuller for his service as the 2013-2014 Chairman of the Mecklenburg Board of County Commissioners.

(14-2192) SPECIAL PRESENTATIONS

County Manager Diorio made a special presentation to Commissioners Bentley and Ratliff for their support of her and all of County staff during their tenure on the Board.

Note: Commissioners Bentley and Ratliff will not return to the Board after the conclusion of their 2012-2014 term.

They each received a framed and engraved photograph of Romare Bearden Park in appreciation of their service and support.

Chairman Fuller assisted County Manager Diorio with the presentation.

(14-2209) INDUCTION INTO THE ORDER OF THE HORNET AND REMARKS BY OUTGOING COMMISSIONERS

Chairman Fuller announced the induction of Commissioners Bentley and Ratliff into the Order of the Hornet. He then read the Order of the Hornet.

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Note: The Order of the Hornet was established in 1972. It is bestowed by the Board of County Commissioners on those who have displayed valor or high order of service uniquely and specifically to the citizens of Mecklenburg County. This is the highest honor the Board bestows for service to the community.

Motion was made by Commissioner James, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to induct Commissioners Karen Bentley and Kim Ratliff into the Order of the Hornet.

Prior to the above vote on the motion, fellow Board members made remarks to outgoing Commissioners Bentley and Ratliff.

After the vote on the above motion, remarks were then made by Commissioners Ratliff and Bentley and in that order, regarding their tenure on the Board.

*Note: Commissioner Ratliff's tenure of service was from December 2012 to December 2014.
Commissioner Bentley's tenure of service was from December 2006 to December 2014.*

(14-2164) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Commissioner Clarke entered the meeting.

Lisa Rudisill addressed pensions received by various officials. She also addressed her source of income and her inability to find a "decent" job. She also spoke in opposition to more taxes.

Kenneth Deal on behalf of Helping Homeless to Housing, addressed the need for affordable housing. Mr. Deal also acknowledged that November was Homeless Awareness Month. Mr. Deal shared his own story of being homeless and with the assistance of Helping Homeless to Housing, was able to secure permanent housing. Mr. Deal said he prayed daily that at least one person per day would find themselves out of homelessness. He thanked the Board for its continued support of efforts to end homelessness.

(14-2190) NOMINATIONS/APPOINTMENTS

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Lennon Maye to the Nursing Home Community Advisory Committee for a three-year term expiring November 30, 2017.

ZONING BOARD OF ADJUSTMENT

Motion was made by Commissioner James, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to

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nominate and appoint Jonathan Dausman, Adam Grabiec, Daniel Jacobs, Nasif Majeed, William Rakatansky, Jeffery Reynolds and Dennis Warfle to the Zoning Board of Adjustment for three-year terms expiring November 30, 2017.

Note: This committee has been inactive for many years. The committee is being reactivated to address the placement of a cell tower at 12126 Providence Road West. It is anticipated that once this issue is addressed, the committee would only meet on an as needed basis.

PUBLIC HEARINGS

(14-2173) PUBLIC HEARING/GRANT APPLICATION RESOLUTION – NCDOT COMMUNITY TRANSPORTATION

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to open the public hearing to receive comments regarding the Mecklenburg County Department of Social Services Community Transportation Grant Application.

Chairman Fuller read the following statement:

Voluntary Title VI Public Involvement Title VI of the Civil Right's Act of 1964 requires North Carolina Department of Transportation to gather statistical data on participants and beneficiaries of the agency's federal-aid highway programs and activities. The North Carolina Department of Transportation collects information on race, color, national origin and gender of the attendees to this public meeting to ensure the inclusion of all segments of the population affected by a proposed project. The North Carolina Department of Transportation wishes to clarify that this information gathering process is completely voluntary and that you are not required to disclose the statistical data requested in order to participate in this meeting. This form is a public document. The completed forms will be held on file at the North Carolina Department of Transportation. For Further information regarding this process please contact Sharon Lipscomb, the Title VI Manager at telephone number 919.508.1808 or email at slipscomb@ncdot.gov.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to close the public hearing and adopt the "COMMUNITY TRANSPORTATION PROGRAM RESOLUTION" to approve the Mecklenburg County Department of Social Services submitting an application for the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2015-2016; and recognize, receive and appropriate grant funds when awarded.

COMMUNITY TRANSPORTATION PROGRAM RESOLUTION

Section 5311 FY 2016 RESOLUTION

Applicant seeking permission to apply for Community Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by (Board Member's Name) Commissioner Bill James and seconded by Commissioner Vilma Leake for the adoption of the following resolution, and upon being put to a vote was duly adopted.

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WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, Mecklenburg County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project, prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the County Manager of Mecklenburg Board of County Commissioners is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

ADVISORY COMMITTEE REPORTS - NONE

MANAGER'S REPORT

County Manager Diorio addressed the following matter under Manager's Report:

Police Patrol on Lake Norman – The following was noted:

- There have been on-going discussions for several years between the County, Charlotte-Mecklenburg Police Department (CMPD), and the Town of Cornelius regarding the service level of police patrol on Lake Norman.
- The Town of Cornelius has asked that the lake patrol service level be revisited.
- The issues stem around what the expectations are in terms of the service level.
- CMPD deploys its patrol on the Lake based on a prioritization system.
- If it's after hours or off season, and there's a request for service, if it doesn't meet a certain level of prioritization, there could be an extended wait time for those calls to be answered; or in some cases, the calls aren't responded to at all.
- The Town of Cornelius has always been concerned about this and expects a higher level of service.
- It's prohibitably expensive to provide the level of service that the Town of Cornelius would like, so other options were being explored.

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- The options:
 - Maintain the current coverage, which would result in the Town of Cornelius continuing to be dissatisfied
 - Having a bifurcated system, whereby CMPD would continue its patrol during the “high” season and after hours and during the “low” season the Town of Cornelius would provide patrol (Note: There was concern that having this type of system would cause confusion for residents.)
 - Transfer all of the police patrol over to the Town of Cornelius
 - Transfer police patrol over to the Town of Cornelius with CMPD still having presence on the Lake, to have situational awareness, provide mutual aid, and to provide emergency response, particularly as it relates to any incidences at the McGuire Nuclear Power Plant
- As a result of recent discussions, there’s been agreement in principle to go with the fourth option
- There will be some additional cost associated with the fourth option and the Town of Cornelius has indicated its agreement to provide funds for additional service levels
- There will be a budget item in the County’s upcoming budget regarding allocating additional funds for the Law Enforcement Service District to fill in any additional gaps
- A meeting will be held on Monday, November 24, 2014 to go over the agreement in principle, with all of the stakeholders, including representatives from Iredell County, Catawba County, Lincoln County, Duke Energy, and the Lake Norman Marine Commission
- A proposed agreement will be brought to the BOCC for approval.

Board members thanked County Manager Diorio for her work on this issue.

This concluded the County Manager’s Report.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

(14-2188) DEPARTMENT DIRECTORS' MONTHLY REPORTS

The Board received as information monthly departmental reports for October 2014.

A copy of the reports is on file with the Clerk to the Board.

(14-2189) FEATURE DEPARTMENT PRESENTATION: MEDICAL EXAMINER

The Board received as information a report from Mecklenburg County's Medical Examiner Office.

Dr. Thomas Owens, Director, Medical Examiner (ME) gave the report.

Note: The Mecklenburg County Medical Examiner’s Office functions as a regional autopsy facility investigating deaths that fall under the ME system for Mecklenburg and surrounding counties.

The following was covered:

- What does the ME’s Office Do?
- What Makes a Death an ME Case?
- (Medical Examiner Statutes)

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- Duties of the Medical Examiner
- Forensic Pathologist Responsibilities
- ME Jurisdiction Process
- Medical Examiner's Office – Prior and Current Activities
- Current Initiatives

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake asked about the ME's Office staffing level, which was addressed.

Commissioner Cotham asked about certified death investigators, which was addressed.

Commissioner Clarke questioned whether there had been disagreement with the state, with respect to the Medical Examiner's Office and reimbursements that were due to the County. He asked had that matter been resolved. *Dr. Owens said yes. He said previously there had been a lump sum distribution based on what the state thought the amount of work would be for regional operations. He said the state now wants to do a fee for service type model, which changes how funds are received but not the overall reimbursement. Dr. Owens elaborated.*

Chairman Fuller asked about the regional aspect of the ME's work, which was addressed.

Chairman Fuller thanked Dr. Owens for the report.

STAFF REPORTS & REQUESTS

(14-2155) METROPOLITAN TRANSIT COMMISSION LEGISLATIVE AGENDA

Charlotte Area Transit Director Carolyn Flowers addressed the Metropolitan Transit Commission's 2015-2016 State Legislative Agenda. She was introduced by County Public Affairs Officer Brian Francis.

Note: The Transit Finance Working Group has recommended a proposed 2015-2016 State Legislative Agenda to the Metropolitan Transit Commission that seeks to repeal the sunset date of the Special Assessments for Critical Infrastructure Needs Act.

Comments

Chairman Fuller asked about the special assessment, which was addressed.

Commissioner Leake asked about the special assessment also and made inquiry as to the amount of the assessment. *Director Flowers said the amount of the assessment would be set as part of the establishment of the districts and therefore, not known at this time.*

Director Flowers clarified that Transit was not asking for approval of an assessment at this time, but rather support for the removal of the sunset date associated with the Special Assessments for Critical Infrastructure Needs Act.

Commissioner Leake said she was still unclear on the establishment of the districts and special assessments and that perhaps she would need to meet with Director Flowers at a later date.

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Commissioner Leake asked would this be used for buses. *Director Flowers said this would not be a tool for buses. She said this was a tool for economic development around rapid transit corridors.*

Commissioner James asked when was the ability to tax approved by the State legislature. *Director Flowers said this was a regional right, approved some time ago. She said an extension was passed in the last Session. Director Flowers said this was not anything new. She said the only request being made was to remove the sunset provision.*

Commissioner Bentley asked why the sunset provision was originally included. *Director Flowers said she did not know.*

Commissioner Bentley asked Director Flowers to comment on the establishment of the special assessment districts, who's involved in the decision making process, etc.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and carried 5-4 with Commissioners Clarke, Cotham, Dunlap, Fuller and Ratliff voting yes and Commissioners Bentley, James, Leake and Ridenhour voting no, to adopt a resolution of support for the Metropolitan Transit Commission's 2015-2016 State Legislative Agenda.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION
OF SUPPORT FOR METROPOLITAN TRANSIT COMMISSION'S
2015-2016 STATE LEGISLATIVE AGENDA**

WHEREAS, the Metropolitan Transit Commission was formed by Mecklenburg County and its municipalities to review and recommend long-range public transportation plans as well as to guide the planning, financing and implementation of an accountable regional transit system, and

WHEREAS, Mecklenburg County is a member of the Metropolitan Transit Commission, and

WHEREAS, the Metropolitan Transit Commission adopted its 2030 Transit Corridor System Plan in 2002, amended in 2006, to develop primary transportation corridors that link our area's key centers of economic activity, which would be financed by Federal, State and local resources, and

WHEREAS, it is realized today that the projected Federal, State and local resources will not be sufficient to implement the 2030 Transit Corridor System Plan, and

WHEREAS, the Metropolitan Transit Commission appointed the Transit Finance Working Group to recommend strategies to close the funding gap for implementing the 2030 Transit Corridor System Plan, including strategies that bring private sector equity to the table, and

WHEREAS, the Transit Finance Working Group has recommended a proposed 2015-2016 State Legislative Agenda to the Metropolitan Transit Commission that seeks to repeal the sunset date of the Special Assessments for Critical Infrastructure Needs Act, and

WHEREAS, the Metropolitan Transit Commission will be considering the proposed 2015-2016 State Legislative Agenda as recommended by the Transit Finance Working Group.

NOW, THEREFORE, BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the County of Mecklenburg hereby supports the 2015-2016 State Legislative Agenda proposed by the Transit Finance Working Group to the Metropolitan Transit Commission.

Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

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(14-2171) MECKLENBURG LIVABLE COMMUNITIES PLAN

The Board received an update on the Mecklenburg Livable Communities Plan, including the draft Plan and list of potential partners.

Heidi Pruess, Community Plan and Sustainability Officer gave the report. Ms. Pruess said she would follow up with each Commissioner at a later date to obtain feedback in response to the update.

Note: Mecklenburg Livable Communities is a joint initiative of the County, City, Towns, and Foundation For The Carolinas, to develop a collaborative plan that:

- 1) Identifies commonalities, overlaps, and gaps with existing plans throughout the various jurisdictions within Mecklenburg County*
- 2) Provides policymakers a strategy to organize and communicate common goals and values that produce a better quality of life*
- 3) Identifies opportunities to highlight unique municipal identity and character*
- 4) Identifies opportunities for partnerships that increase outcomes and eliminate duplicative efforts and tear down silos*
- 5) Increases community awareness of programs and policies that align to achieving the community's unified vision*

Chairman Fuller thanked Ms. Pruess for the update.

(14-2194) REPORT ON NC FAST (NORTH CAROLINA FAMILIES ACCESSING SERVICES THROUGH TECHNOLOGY)

The Board received an update on the implementation of NCFast in Mecklenburg County.

Note: North Carolina Families Accessing Services through Technology (NC FAST) is a program designed to improve the way NC Department of Health and Human Services and county departments of social services do business. NC FAST introduces new technological tools and business processes that will enable workers to spend less time on administrative tasks and more time assisting families.

Prior to the update, Department of Social Services Director Peggy Eagan announced the promotion of Rodney Adams as the new Department of Social Services Deputy Director and Men Tchaas Ari as the new Economic Services Division Director.

Deputy Director Adams gave the report. The following was covered:

- What is NC FAST
- NC FAST Deployments
- Anticipated Benefits
- Current Challenges
- Impact Strategies
- Summary
- NC FAST Update

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A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake asked what was being done to ensure that all persons in need of these services have access to the information, especially those that may not have a computer, which was addressed.

Commissioner Clarke asked Deputy Director Adams to comment on his continued optimism regarding NC FAST.

Commissioner Cotham asked about the use of the term benefit delay, which was addressed.

Commissioner Leake asked about available job openings, which was addressed.

Chairman Fuller asked whether discussions regarding Medicaid Reform in N.C. was causing some of the delays or was that something separate. *Deputy Director Adams said it was something separate.*

Chairman Fuller asked was it possible that potential Medicaid reform in N.C. could impact NC FAST. *The response was yes.*

Chairman Fuller asked about the cost to the County as a result of experiencing delays, which was addressed.

Chairman Fuller thanked Deputy Director Adams for the report.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(14-2199) TASK FORCE ON ECONOMIC OPPORTUNITY -- UPDATE

Chairman Fuller gave an update on the Task Force on Economic Opportunity.

Note: Chairman Fuller announced in his January 30, 2014 State of the County address the creation of a task force on poverty and economic mobility. This recommendation was in response to a study from the University of North Carolina at Chapel Hill - Center on Poverty and a Harvard University - University of California Berkeley report ranking Charlotte 50th of 50 American metropolitan areas for economic mobility. Mecklenburg County, in partnership with the City of Charlotte and the Foundation for the Carolinas is convening an independent Task Force to identify policy and community solutions for increasing economic opportunity in Mecklenburg County.

The following was noted:

The specific charge of the Task Force is:

- To request, receive and review relevant data about the economic deprivation and problems of economic mobility in Mecklenburg County
- Gather input from all of the relevant stakeholders from every part of the community; Input on not only what the data states and on the experiences of stakeholders, but also input on how to go about addressing the issues
- The Task Force would engage in specific, constructive discussion and deliberation about the data and about the input received from the stakeholders

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- Bring forth specific things that this task force can recommend to the community as to how to address the problems of economic mobility and economic deprivation

Chairman Fuller addressed the structure of the process.

- There was a working group, who were not members of the task force, but were helping to move the work of the task force forward.
- The working group consist of persons from the Foundation for the Carolinas, & UNC-Charlotte Urban Institute.
- The Lee Institute would facilitate this process.
- The task force will consist of about 16 members and there will be two co-chairs.
- The members of the task force are intended to be from the “wide scope” of Mecklenburg County.
- The membership of the task force will be diverse demographically, economically, geographically, professionally, private sector, and public sector.
- Meetings are scheduled to begin in 2015 and will take place throughout the year.
- The expectation is that a final report will be developed and ready for presentation by December 2015.
- The work of the task force would revolve around, but not limited to, the pillars of the economic mobility as found by the Harvard Study. The pillars are:
 - The question of segregation economically, demographically, etc.
 - Income levels and inequality
 - Quality of schools
 - Social Capital
 - Family structure

Chairman Fuller said a press conference would be held on Monday, November 24, 2014 at the Charlotte-Mecklenburg Government Center regarding this initiative.

Comments

Commissioner Leake asked that Johnson C. Smith University, the Faith Community, and Charlotte-Mecklenburg Schools be included as participants in the process.

Commissioner Leake said she was not opposed to The Lee Institute, but suggested going forward that other entities be considered and given an opportunity to do this type of work.

Commissioner Leake suggested also that there be a clear definition of what is meant by poverty.

Commissioner Bentley suggested the task force take a look at the work being done with respect to the Mecklenburg Livable Communities Plan.

Commissioner Ridenhour suggested Veterans’ organizations be included as participants.

Commissioner James said this was a subject that had been addressed in the past, even by him.

Commissioner James noted a book that was given to Board members, perhaps in 2005 written by Daniel Patrick Moynihan entitled The Negro Family, The Case for National Action, which was done by the Department of Labor in the 1960’s.

Commissioner James commented on his belief that poverty was linked to the “breakdown” of the family.

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Commissioner James said what he hoped won't come out of this initiative, was the idea that you're going to take kids from one place and put them someplace else, assuming that by moving them from "point A to point B" you'll "solve" their problem. Commissioner James said what he was referring to was busing.

Commissioner James said he was not opposed to having the discussion. He said his hope would be that it would result in some "productive" results.

Commissioner Dunlap left the dais and was away until noted in the minutes.

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(14-2148) LAND DONATION -- MALLARD CREEK TRIBUTARY GREENWAY

Accept the donation of Tax Parcels 043-211-97 (± 0.118 acres) and 043-211-99 (± 2.1 acres) for the future construction of a portion of Mallard Creek Tributary Greenway trail from The McAlpine Company.

(14-2151) APPOINTMENT OF REVIEW OFFICERS

Amend Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2. by designating Alison H. Adams and Jason Burdette as review officers and deleting Ben McCrary from the Resolution adopted May 15, 2012; Fonda Nichols and Sharon Sapp shall be deleted from the Resolution adopted July 17, 1998; Alex Oros shall be deleted from the Resolution adopted December 18, 2001; and Maria E. Floren shall be deleted from the Resolution adopted August 6, 2013.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(14-2154) SOFTWARE LICENSING FINANCE AGREEMENT -- VAR RESOURCES

Authorize the County Manager to negotiate and execute a three-year software licensing agreement with VAR Resources.

Note: The software license financing agreement is between Mecklenburg County (IT Security) and VAR Resources. VAR Resources will provide the Information Security department financing to purchase 6001 licenses for a McAfee Data Loss Prevention (DLP) solution.

(14-2168) MINUTES

Approve Minutes of Regular meeting held November 5, 2014 and Closed Session held November 5, 2014 and October 21, 2014.

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(14-2170) AMEND INTERLOCAL AGREEMENT -- ENVIRONMENTAL DATABASE MANAGEMENT SYSTEM

Adopt the RESOLUTION RATIFYING EXECUTION OF THE RESTATED INTERLOCAL AGREEMENT FOR THE ENVIRONMENTAL DATABASE MANAGEMENT SYSTEM BETWEEN THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(14-2172) LAND DONATION -- BACK CREEK GREENWAY

Accept donation of Tax Parcels 105-015-75; 105-013-97, and 105-013-98 (\pm 3.157 acres) on Back Creek in the City of Charlotte from MI Homes of Charlotte, LLC.

Note: Acquisition of this land will add to the County's greenway assemblage along Back Creek.

(14-2174) HAZARD MITIGATION PROGRAM -- FY15 FLOODPLAIN ACQUISITIONS

Accept the Offer of Sale of Real Estate from Toni Steed-Smith and husband, Anthony Smith, owners of property at 5206 Dolphin Lane (Tax Parcel 099-082-16) for \$95,000; and

Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises.

Note: This acquisition is being done via the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

(14-2179) CAPITAL RESERVE EXPENDITURE -- GOLF COURSES (PARK AND RECREATION)

Appropriate expenditure of up to \$12,000 from the Consolidated Golf Capital Reserve account to repair erosion and drainage problems near #10 at the Sunset Hills Golf Course.

(14-2180) DESTRUCTION OF DOCUMENTS -- AREA MENTAL HEALTH AND LOCAL MANAGEMENT ENTITY

Approve the destruction of records by the Behavioral Health Division.

Note: In accordance with regulations set forth by the NC Department of Health and Human Services and NC Department of Cultural Resources, the Area Mental Health Authority and Local Management Entity were required to store all confidential client and employee files and records for established periods of time, during which time all records shall remain accessible to staff and auditors. Once the specific time period for each type of file has elapsed, these files are deactivated and must be destroyed as confidential waste in accordance with the instructions and schedule established by the State. At this time, all records currently scheduled for destruction have been identified and are scheduled to be removed or destroyed on or before November 11, 2014.

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(14-2181) CAPITAL RESERVE EXPENDITURE -- ATHLETIC FIELDS (PARK AND RECREATION)

Appropriate expenditure of up to \$12,000 from the Athletic Field Capital Reserve Account to purchase portable outfield fencing.

Note: Fencing is needed to convert existing baseball/softball fields at Nevin, Hornets Nest and Renaissance Parks. Procurement of the portable fencing will make the existing fields adaptable for youth and adult play.

(14-2185) EASEMENT DONATION -- BRIAR CREEK GREENWAY

Accept the donation of a permanent greenway easement (\pm 2,782 square feet) on tax parcel 129-024-12 from Morningside Association, Inc.

Adopt the *Briar Creek Bridge Project Capital Project Ordinance*.

Recognize and receive \$300,000 from Northwood Ravin, LLC (a member of Morningside Association, Inc.) for construction of a pedestrian bridge and a portion of Briar Creek Greenway.

Ordinance recorded in full in Minute/Ordinance Book _____ Document # _____.

(14-2186) TAX REFUNDS

Approve refunds in the amount of \$11,398.73 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

Approve refunds in the amount of \$92,486.73 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

A list of the refund recipients is on file with the Clerk to the Board.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(14-2153) EQUIPMENT LEASE AGREEMENT -- EMC HARDWARE AND SERVICES

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute a three-year equipment lease purchase agreement with Key Finance Group via EMC.

Note: The EMC hardware that is being purchased is to replace the County's Enterprise tape backup system and data storage for all servers and user data within Mecklenburg County.

Commissioner Leake removed this item from Consent for more public awareness. Business Support Services Director Brian Cox addressed this item.

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Commissioner Dunlap returned to the dais.

(14-2161) BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve fee increases for Well Water sampling to cover the increased State Laboratory fees, and establish a new fee for Pushcart/Mobile Food Unit Plan Review as now allowed by the State; and to recognize, receive and appropriate additional revenue in the amount of \$198,008 from state, federal and fees and charges; and approve the creation of one Administrative Support Assistant III.

Note: The additional revenue of \$198,008 consists of: a net decrease of \$2,785 in funding from the North Carolina Department of Public Health (reduction of \$21,992 in federal and net increase of \$19,207 in state funds); \$7,500 awarded from The Junior League of Charlotte, \$10,501 additional funding awarded from the Ryan White program to the HIV/Case Management program, \$750 awarded from Saint Peter's Catholic Church; and additional revenue of \$182,042 in fees and charges in Environmental Health to align with projected actual collections. A portion of the additional Environmental Health fees will be used to fund an Administrative Support Assistant III needed to meet the public demand in construction activities. The balance of the fee revenue will be used to meet unexpected/unbudgeted Public Health budget needs to include Tobacco Ordinance signage and radiological expenses for the Breast and Cervical Cancer Program.

Commissioner Leake removed this item from Consent for more public awareness. Health Department Director Dr. Marcus Plescia addressed this item.

(14-2165) CONSTRUCTION CONTRACT -- BEREWICK PARK

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to award a construction contract to J. D. Goodrum in the amount of \$1,256,600 for Berewick Park.

Note: This contract is for the construction of two (2) natural grass baseball/softball fields and one (1) natural grass multi-purpose field, each with athletic field lighting and irrigation. Construction will also include a new restroom/shelter building, free standing picnic shelter, playground and a six foot wide walking trail.

Commissioner Leake removed this item from Consent for more public awareness. Park and Recreation Director Jim Garges addressed this item.

Prior to the above vote, Tim Jowers addressed the need for the grass to be cut at Berewick School – Park.

(14-2178) DEPARTMENT OF SOCIAL SERVICES (DSS) ENERGY OUTREACH BUSINESS PLAN

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the Low Income Energy Assistance Business Plan for Fiscal Year 2015.

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Note: The General Assembly of North Carolina Session 2013 S D Senate Bill 744, Section 12J.1.(t), requires counties to obtain approval by the local board of all Low Income Home Energy Assistance Program/Crisis Intervention Payments (LIHEAP/CIP) Outreach Plans before submission to the North Carolina Department of Health & Human Services. The \$8,050,891 funding for this program was approved in the Fiscal Year 2015 Adopted budget, no County funding required.

Commissioner Leake removed this item from Consent for more public awareness. Department of Social Services Director Peggy Eagan addressed this item.

ADJOURNMENT

Motion was made by Commissioner Ratliff, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:06 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman